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8 *Co-Counsel for Defendants Power
Ventures, Inc. and Steve Vachani*

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 FACEBOOK, INC.,

12 Plaintiff,

13 v.

14 POWER VENTURES, INC. d/b/a POWER.COM, a
15 California corporation; POWER VENTURES, INC.
16 a Cayman Island Corporation, STEVE VACHANI,
17 an individual; DOE 1, d/b/a POWER.COM, an
18 individual and/or business entity of unknown nature;
DOES 2 through 25, inclusive, individuals and/or
business entities of unknown nature,

19 Defendants.

Case No. 5:08-CV-05780 JW

**DECLARATION OF ALAN R.
PLUTZIK IN SUPPORT OF
BRAMSON, PLUTZIK, MAHLER &
BIRKHAUSER, LLP'S JOINDER
IN MOTION TO WITHDRAW AS
COUNSEL FOR DEFENDANTS
POWER VENTURES, INC. AND
STEVE VACHANI**

Before: Hon. James Ware

Date: July 9, 2012

Time: 9:00 a.m.

Courtroom: 9, 19th Floor

1 I, Alan R. Plutzik, declare:

2 1. I am an attorney with the law firm of Bramson, Plutzik, Mahler & Birkhaeuser, LLP
3 (“BPMB”), co-counsel of record for Defendants Power Ventures, Inc. (“Power”) and Steve
4 Vachani (collectively “Defendants”). I make this declaration in support of BPMB’s Motion to
5 Withdraw as Counsel for Defendants. I have personal knowledge of the facts set forth in this
6 declaration and, if called as a witness, I could and would testify competently thereto.

7 2. The law firm of Bursor & Fisher, P.A. (“Bursor”) has filed a motion to withdraw as
8 counsel for Defendants in this action. This firm has served as co-counsel of record for Defendants,
9 along with Bursor, since the inception of the action. However, pursuant to an agreement between
10 BPMB and Bursor, and with the express understanding of Defendants, Bursor has served as lead
11 counsel for Defendants during that time. BPMB’s role was initially to serve as local counsel.
12 After Bursor opened a California office in early 2011, BPMB has performed no work for
13 Defendants in this action.

14 3. On June 8, 2012, I contacted Steve Vachani by email and to inform him that BPMB
15 intended to file a Joinder in Bursor’s motion to withdraw as counsel for Defendants because
16 plaintiff’s counsel’s bills have been unpaid for many months.

17 4. On June 8, 2012, I contacted Monte Cooper, counsel for Plaintiff Facebook, Inc.
18 (“Facebook”), by email and advised him of my intent to move to withdraw as counsel for
19 Defendants. Mr. Cooper informed me that Facebook would not oppose the request to withdraw.

20 5. BPMB filed this Joinder in Bursor’s Motion to Withdraw as Counsel for Defendants
21 as soon as practicable upon learning the facts giving rise to it.

22 6. BPMB has complied with this District’s Local Rules applicable to motions to
23 withdraw as well as all applicable rules of California’s Code of Professional Conduct.

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct to the best of my knowledge. Executed this 8th day of June 2012, at
26 Walnut Creek, California.

27 /s/ Alan R. Plutzik
28 Alan R. Plutzik

